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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/812,469         | 03/29/2004             | Anja Bauer            | 104035.276099          |

00826  
 ALSTON & BIRD LLP  
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 CHARLOTTE, NC 28280-4000



**CONFIRMATION NO. 3148**  
**FORMALITIES LETTER**



\*OC000000012927219\*

Date Mailed: 06/14/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
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08/20/2004 ZJUHAR1 00000033 10812469  
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 01 FC:1051

***A copy of this notice MUST be returned with the reply.***

*Chris Jr. et al.*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Docket No. 104035.276099

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Bauer et al  
Appl No.: 10/812,469 Confirmation No.: 3148  
Filed: March 29, 2004 Group Art Unit: 1616  
For: COSMETIC OR DERMATOLOGICAL STICK

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts of Application dated June 16, 2004, enclosed are the following:

- Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)
- Applicant claims small entity status
- PTO Form-2038 authorizing the amount of 240.00 to cover the surcharge under 37 C.F.R. § 1.16(e) and (1) one month Extension of Time.
- English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
- Other: (1) one month Extension of Time
- Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Andrew T. Meunier  
Registration No. 40,726

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"Express Mail" mailing label number EL 952616852 US  
Date of Deposit August 18, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450